

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:21-cv-25

DANIEL MCCARTHY; and PHILIP
SCALZO;

Plaintiffs,

v.

ACTIVE ENERGY GROUP, PLC;
LUMBERTON ENERGY HOLDINGS
LLC; ADVANCED BIOMASS
SOLUTIONS, PLC; and ACTIVE
ENERGY RENEWABLE POWER, LLC;

Defendants.

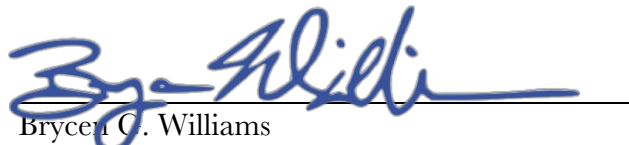
NOTICE FOR PARTIAL DISMISSAL

NOW COME Plaintiffs DANIEL MCCARTHY and PHILIP SCALZO (“**Plaintiffs**”), by and through counsel, and pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), hereby dismiss their Second Claim for Relief under the North Carolina Wage and Hour Act, N.C.G.S. § 95-25.1, *et seq.* without prejudice against all named defendants. By this Notice, Plaintiffs do not dismissed their First, Third, Fourth, Fifth, and Sixth Claims for Relief against any defendant.

Respectfully submitted this 16th day of August 2021.

Williams & Ray, PLLC:

Attorneys for Plaintiffs



Brycen C. Williams

NC Bar No.: 50253

Williams & Ray, PLLC

555 Fayetteville St., Ste. 201

Raleigh, NC 27601

Phone: (888) 315-3841

Fax: (303) 502-5821

Email: bw@williamsray.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document has been duly served on all counsel of record by filing it with the Clerk of the Court using the CM/ECF System.

Williams & Ray, PLLC:

Attorneys for Plaintiffs



Brycen G. Williams

NC Bar No.: 50253

Williams & Ray, PLLC

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Raleigh, NC 27601

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